

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

IN RE:)	
)	
MELINDA RENATA AUSTIN,)	Case No. 11-60426
)	Chapter 7
Debtor)	
-----)	
W. CLARKSON McDOW, JR.)	
UNITED STATES TRUSTEE)	
FOR REGION FOUR,)	
)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No. _____
)	
MELINDA RENATA AUSTIN,)	
)	
Defendant.)	

Complaint to Revoke Discharge

Comes now W. Clarkson McDow, Jr., United States Trustee for Region Four, and seeks the revocation of the discharge of the debtors and, in support thereof, states as follows:

1. Plaintiff is the United States Trustee for Region Four.
2. This adversary proceeding is one arising in the bankruptcy case of Melinda Renata Austin ("defendant" or "debtor"), Case No. 11-60426. The bankruptcy case was commenced by the filing on February 21, 2011 of a voluntary petition under chapter 7 of title 11 which is still pending before this court.
3. The debtor was granted a discharge on August 22, 2011.

4. The court has jurisdiction in this adversary proceeding pursuant to 28 U.S.C. § 1334 and 11 U.S.C. § 727. This is a core proceeding under 28 U.S.C. § 157(b)(2)(J).

Cause of Action

For a Second Cause of Action

5. The allegations contained in paragraphs 1 through 4 are incorporated herein.

6. Since receiving her discharge the defendant has failed to obey a lawful order of this Court, namely the order dated February 21, 2012, directing the debtor to turnover to the chapter 7 trustee \$3,650.00 from her federal income tax return.

7. The debtor has failed to comply, in whole or in part, to this Court's February 21, 2012 order.

8. The discharge of the defendants should be revoke under § 727(d)(3).

WHEREFORE, plaintiff prays that the discharge of Melinda Renata Austin should be revoked and that he have such other and further relief as is just.

Dated: 11 June 2012

W. CLARKSON MCDOW, JR.
United States Trustee for Region Four

By: /s/ Margaret K. Garber

Margaret K. Garber (VSB No. 34412)
Office of the United States Trustee
210 First Street, Suite 505
Roanoke, Virginia 24011
(540) 857-2806